

REMARKS

Claims 1, 3-6, 8-22 and 24-26 are pending in the present application and have been rejected under 35 U.S.C. §102(a) as being anticipated by U.S. Patent Publication No. 2002/0037745 A1 (Yahiro).

Regarding the Examiner's rejection of independent Claim 1, Claim 1 has been amended and is now further distinguished.

Yahiro discloses if RAM 32 has a vacant area large enough to store data, the data is transmitted from the radio apparatus 20 to a peripheral apparatus 30 as radio section 23 operates (e.g., see, Paragraph 57 and Steps B6 and B7 of FIG. 4). With reference to FIG. 4, it is seen that after it is determined (in Step B6) whether the peripheral apparatus 30 has a vacant area large enough to store the data, the data is unconditionally transmitted from the radio apparatus 20 to the peripheral apparatus 30. Steps B6 and B7 of FIG. 4 are respectively similar to Steps C3 and C4 of FIG 9; and Steps D5 and D6 of FIG. 10. Moreover, Steps E2 and E3 and Steps E4 and E6 of FIG. 13 similarly teach transmitting data to the peripheral apparatus 30 without requesting an input from a user.

In contrast, amended Claim 1 includes the recitation of the control means sets a

flag according to the availability of the peripheral device and thereafter awaits a user's selection of a command corresponding to the set flag, which is neither taught nor suggested by Yahiro. Accordingly, it is respectfully requested that the rejection under 35 U.S.C. §102(a) of Claim 1 be withdrawn.

Regarding, the Examiner's rejection of independent Claim 6, Claim 6 has been amended and is now further distinguished. Amended Claim 6 includes the recitation of setting a flag according to availability of the peripheral device, and thereafter awaiting a user's selection of a command corresponding to the set flag, which is similar to the recitations contained in amended Claim 1. Accordingly, for at least the same reasons as set forth above with respect to the rejection of Claim 1, it is respectfully requested that the rejection under 35 U.S.C. §102(a) of Claim 6 be withdrawn.

Independent Claims 1 and 6 are believed to be in condition for allowance. Without conceding the patentability per se of dependent Claims 3-5, 8-22, and 24-26, these are likewise believed to be allowable by virtue of their dependence on their respective amended independent claims. Accordingly, reconsideration and withdrawal of the rejections of dependent Claims 3-5, 8-22, and 24-26 is respectfully requested.

Accordingly, all of the claims pending in the Application, namely, Claims 1, 3-6,

8-22 and 24-26, are believed to be in condition for allowance. Should the Examiner believe that a telephone conference or personal interview would facilitate resolution of any remaining matters, the Examiner may contact Applicants' attorney at the number given below.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Paul J. Farrell", written over the typed name.

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